

EXHIBIT H

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Robert P. Lesko

Karen D. Peck

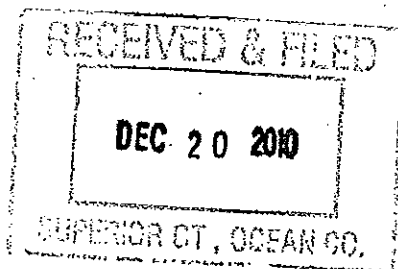
33 Washington Street

Newark, New Jersey 07102-3017

(973) 624-0800 ph.

(973) 624-0799 fx.

Attorneys for Plaintiff, American General Life Insurance Company



AMERICAN GENERAL LIFE INSURANCE : SUPERIOR COURT OF NEW JERSEY
COMPANY, : LAW DIVISION: OCEAN COUNTY

Plaintiff,

vs.

CHAIM FINK, the C. FINK FAMILY
TRUST, ZALMEN LANDAU, as Trustee of
the C. FINK FAMILY TRUST, ISRAEL
BILLER, and JOHN DOES 1-10.

Defendants.

: DOCKET NO: L-001954 10

**REQUEST FOR ENTRY OF DEFAULT AS
TO ISRAEL BILLER**

TO: Israel Biller
215 E 5th Street
Lakewood, New Jersey

Filed and Default Entered
Office of the Superior Court Clerk
by Deputy Clerk of the Superior Court
OCEAN COUNTY

SIR/MADAM:

PLEASE TAKE NOTICE that Plaintiff, American General Life Insurance Company ("American General"), by and through its attorneys, Wilson, Elser, Moskowitz, Edelman & Dicker, hereby seeks entry of default against Defendant Israel Biller for failure to appear, answer or otherwise move as to the Complaint.

PLEASE TAKE FURTHER NOTICE that American General shall rely upon the enclosed Certification of Karen D. Peck in support of its request for entry of default.

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Attorneys for Plaintiff American General Life Insurance Company

By: _____

Karen D. Peck

Dated: December 17, 2010

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Robert P. Lesko

Karen D. Peck

33 Washington Street

Newark, New Jersey 07102-3017

(973) 624-0800 ph.

(973) 624-0799 fx.

Attorneys for Plaintiff, American General Life Insurance Company

AMERICAN GENERAL LIFE INSURANCE : SUPERIOR COURT OF NEW JERSEY
COMPANY, : LAW DIVISION: OCEAN COUNTY
: DOCKET NO: L-001954 10

Plaintiff,

vs.

CHAIM FINK, the C. FINK FAMILY
TRUST, ZALMEN LANDAU, as Trustee of
the C. FINK FAMILY TRUST, ISRAEL
BILLER, and JOHN DOES 1-10.

Defendants.

CERTIFICATION OF COUNSEL IN
SUPPORT OF REQUEST FOR ENTRY OF
DEFAULT AS TO ISRAEL BILLER

Karen D. Peck, of full age, hereby certifies as follows:

1. I am an attorney-at-law admitted to practice before the courts in the State of New Jersey and before this Court. I am an associate of the law firm Wilson, Elser, Moskowitz, Edelman & Dicker, attorneys for plaintiff American General Life Insurance Company ("American General").

2. In that regard, I am fully familiar with the facts set forth herein and make this Certification in support of American General's Request for Entry of Default against Defendant Israel Biller.

3. The Complaint in the above referenced matter was filed on or about May 21, 2010 in the Superior Court of New Jersey, Ocean County, under Docket number L-001954 10.

4. Defendant Israel Biller was served via personal service on July 6, 2010 at his residential address of 74 Whisper Court, Lakewood, New Jersey. (See Affidavit of Service, attached hereto as **Exhibit A**).

5. The foregoing constitutes the making of a "return of service" in accordance with the requirements of R. 4:4-7.

6. The time within which to answer, plead, or otherwise reply to the Complaint expired thirty-five (35) days after service, or on August 10, 2010, for defendant Israel Biller.

7. To date, no Answer or other response to the Complaint has been filed by Defendant Israel Biller.


8. All of the foregoing demonstrates that service has been properly made upon Defendant Israel Biller pursuant to the appropriate Court Rules but that no action has been taken in response to the properly served Complaint.

9. Due to the fact that effective service has been made as aforesaid and the fact that the time within which the aforementioned Defendant may file an Answer or otherwise plead in response to the Complaint has expired and has not been extended, it is respectfully requested that the Court grant the within application for the entry of default.

10. The within application complies with R. 4:43-1 since it is made within six (6) months of the actual default date for this Defendant.

11. The foregoing statements made by me are true. I am aware that if any of the foregoing statements are made by me are willfully false, I am subject to punishment.

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP
Attorneys for Plaintiff, American General Life Insurance Company

By: 
Karen D. Peck

Dated: December 17, 2010

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP
Robert P. Lesko
33 Washington Street
Newark, New Jersey 07102-3017
(973) 624-0800 ph.
(973) 624-0799 fx.
Attorneys for Plaintiff, American General Life Insurance Company

AMERICAN GENERAL LIFE INSURANCE : SUPERIOR COURT OF NEW JERSEY
COMPANY, : LAW DIVISION: OCEAN COUNTY
: DOCKET NO:

Plaintiff,

vs.

CHAIM FINK, the C. FINK FAMILY
TRUST, ZALMEN LANDAU, as Trustee of
the C. FINK FAMILY TRUST, ISRAEL
BILLER, and JOHN DOES 1-10.

Defendants.

SUMMONS

FROM THE STATE OF NEW JERSEY
TO THE ABOVE NAMED DEFENDANT(S):

Israel Biller
215 E 5th Street
Lakewood, NJ

The Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) A \$135.00 filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

1012251.1

RECEIVED & FILED

JUL 21

CLERK OF SUPERIOR COURT

If you cannot afford an attorney, you may call the Legal Services office in the county where you live, or the county in which the action is pending. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling the Lawyer Referral Service in the county where you live, the county in which the action is pending, or if there is none, the Lawyer Referral Service of an adjacent county. A list of these numbers is also provided. If you are not a resident of this State you should call the Legal Service or Lawyer Referral Service of the county in which the action is pending.

/s/ Jennifer M. Perez
Jennifer M. Perez
Acting Clerk of the Superior Court

DATED: June 28, 2010

Name/Address of Defendant to be Served: Israel Biller
215 E 5th Street
Lakewood, NJ

PROOF OF SERVICE

On July 6, 2010, I the undersigned, being over the age of 18, served the within Summons by delivering a copy thereof to the person named therein and by tendering to such person the attendance fee of \$ — and mileage of \$ — as allowed by law.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Address of Service:

74 Whisper Ct.
Lake Wood, N.I

Dated: 7/6, 2010

Ken Catlow

RECEIVED & FILED

JUL 21 2010

U.S. DISTRICT COURT

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

Robert P. Lesko

Karen D. Peck

33 Washington Street

Newark, New Jersey 07102-3017

(973) 624-0800 ph.

(973) 624-0799 fx.

Attorneys for Plaintiff, American General Life Insurance Company

AMERICAN GENERAL LIFE INSURANCE : SUPERIOR COURT OF NEW JERSEY
COMPANY, : LAW DIVISION: OCEAN COUNTY
: DOCKET NO: L-001954 10

Plaintiff,

vs.

CERTIFICATION OF SERVICE

CHAIM FINK, the C. FINK FAMILY
TRUST, ZALMEN LANDAU, as Trustee of
the C. FINK FAMILY TRUST, ISRAEL
BILLER, and JOHN DOES 1-10.

Defendants.

I hereby certify one (1) copy of Plaintiff American General Life Insurance
Company's Request for Entry of Default as to Defendant Israel Biller and Certification in
Support of Request for Entry of Default as to Defendant Israel Biller was served upon:

**Israel Biller
74 Whisper Court
Lakewood, NJ 08701**

via first class mail on December 17, 2010.

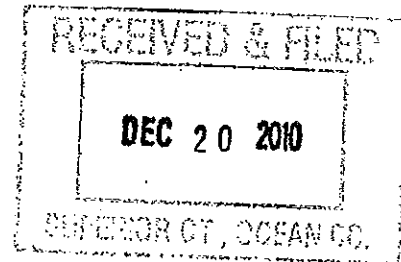

Karen D. Peck

DATED: December 17, 2010

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

Robert P. Lesko
Karen D. Peck
33 Washington Street
Newark, New Jersey 07102-3017
(973) 624-0800 ph.
(973) 624-0799 fx.

Attorneys for Plaintiff, American General Life Insurance Company



AMERICAN GENERAL LIFE INSURANCE COMPANY,

Plaintiff,

vs.

CHAIM FINK, the C. FINK FAMILY TRUST, ZALMEN LANDAU, as Trustee of the C. FINK FAMILY TRUST, ISRAEL BILLER, and JOHN DOES 1-10.

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY
DOCKET NO: L-001954 10**

**REQUEST FOR ENTRY OF DEFAULT AS
TO CHAIM FINK**

Filed and Default Entered
Office of the Superior Court Clerk
by Deputy Clerk of the Superior Court
OCEAN COUNTY


**TO: Chaim Fink
626 Wythe Place #4-L
Brooklyn, NY 11211**

SIR/MADAM:

PLEASE TAKE NOTICE that Plaintiff, American General Life Insurance Company ("American General"), by and through its attorneys, Wilson, Elser, Moskowitz, Edelman & Dicker, hereby seeks entry of default against Defendant Chaim Fink for failure to appear, answer or otherwise move as to the Complaint.

PLEASE TAKE FURTHER NOTICE that American General shall rely upon the enclosed Certification of Karen D. Peck in support of its request for entry of default.

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP
Attorneys for Plaintiff American General Life Insurance Company

By: 
Karen D. Peck

Dated: December 17, 2010

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

Robert P. Lesko

Karen D. Peck

33 Washington Street

Newark, New Jersey 07102-3017

(973) 624-0800 ph.

(973) 624-0799 fx.

Attorneys for Plaintiff, American General Life Insurance Company

AMERICAN GENERAL LIFE INSURANCE : SUPERIOR COURT OF NEW JERSEY
COMPANY, : LAW DIVISION: OCEAN COUNTY

: DOCKET NO: L-001954 10

Plaintiff,

vs.

CHAIM FINK, the C. FINK FAMILY
TRUST, ZALMEN LANDAU, as Trustee of
the C. FINK FAMILY TRUST, ISRAEL
BILLER, and JOHN DOES 1-10.

Defendants.

CERTIFICATION OF COUNSEL IN
SUPPORT OF REQUEST FOR ENTRY OF
DEFAULT AS TO CHAIM FINK

Karen D. Peck, of full age, hereby certifies as follows:

1. I am an attorney-at-law admitted to practice before the courts in the State of New Jersey and before this Court. I am an associate of the law firm Wilson, Elser, Moskowitz, Edelman & Dicker, attorneys for plaintiff American General Life Insurance Company ("American General").

2. In that regard, I am fully familiar with the facts set forth herein and make this Certification in support of American General's Request for Entry of Default against Defendant Chaim Fink ("Fink").

3. The Complaint in the above referenced matter was filed on or about May 21, 2010 in the Superior Court of New Jersey, Ocean County, under Docket number L-0019540-10.

4. Despite diligent effort and inquiry, personal service could not be made on Defendant Fink in the state of New Jersey. (See attached Affidavit of Diligent Inquiry, pursuant to R. 4:4-5(c), attached hereto as **Exhibit A**).

5. As such, defendant Fink was served pursuant to R.4:4-4(b)(1)(C) via certified mail and ordinary mail on September 8, 2010 (See Affidavit of Service, attached hereto as **Exhibit B**).

6. Defendant Fink was served a second time pursuant to R.4:4-4(b)(1)(C) via certified mail and ordinary mail on October 25, 2010 (See Affidavit of Service, attached hereto as **Exhibit C**).

7. The foregoing constitutes the making of a "return of service" in accordance with the requirements of R. 4:4-7.

8. The time within which to answer, plead, or otherwise reply to the Complaint expired thirty-five (35) days after service.

9. To date, no Answer or other response to the Complaint has been filed by Defendant Fink.

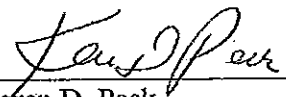
10. All of the foregoing demonstrates that service has been properly made upon Defendant Fink pursuant to the appropriate Court Rules but that no action has been taken in response to the properly served Complaint.

11. Due to the fact that effective service has been made as aforesaid and the fact that the time within which the aforementioned Defendant may file an Answer or otherwise plead in response to the Complaint has expired and has not been extended, it is respectfully requested that the Court grant the within application for the entry of default.

12. The within application complies with R. 4:43-1 since it is made within six (6) months of the actual default date for this Defendant.

13. The foregoing statements made by me are true. I am aware that if any of the foregoing statements are made by me are willfully false, I am subject to punishment.

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP
Attorneys for Plaintiff, American General Life Insurance Company

By: 
Karen D. Peck

Dated: December 17, 2010

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Robert P. Lesko

Karen D. Peck

33 Washington Street

Newark, New Jersey 07102-3017

(973) 624-0800 ph.

(973) 624-0799 fx.

Attorneys for Plaintiff, American General Life Insurance Company

AMERICAN GENERAL LIFE INSURANCE : SUPERIOR COURT OF NEW JERSEY
COMPANY, : LAW DIVISION: OCEAN COUNTY

: DOCKET NO: OCN-L-001954-10

Plaintiff,

vs.

CHAIM FINK, the C. FINK FAMILY
TRUST, ZALMEN LANDAU, as Trustee of
the C. FINK FAMILY TRUST, ISRAEL
BILLER, and JOHN DOES 1-10.

Defendants.

**AFFIDAVIT OF
DILIGENT INQUIRY**

I, Karen D. Peck, being of full age and duly sworn according to law and upon my oath hereby depose and say:

1. I am an attorney-at-law admitted to practice before the courts in the State of New Jersey and before this Court. I am an associate of the law firm Wilson, Elser, Moskowitz, Edelman & Dicker, attorneys for plaintiff American General Life Insurance Company ("American General"). I make this Affidavit of Diligent Inquiry pursuant to R. 4:4-4(b)(1) and R. 4:4-5 regarding service on Defendant Chaim Fink ("Fink").

2. Upon information and belief, Fink was a New York resident at the time of the application for and issuance of the subject Policy of this litigation.

3. Approximately two months prior to the filing of the Complaint on May 21, 2010, counsel for American General ordered a background check on Chaim Fink.

4. The background check confirmed that Fink was still a New York resident.

5. The background check also revealed that Fink does not own a home in New Jersey or property in New Jersey.

6. There were no additional reasonable steps that American General could have taken to serve Fink within the state of New Jersey.

7. Accordingly, American General arranged for service on Fink in the state of New York.

Dated: December 17, 2010



Karen D. Peck

Sworn to before me this
17 day of December, 2010



Notary Public

Andrew F. Bain
Attorney-at-law, NJ

Affidavit of Service

AMERICAN GENERAL LIFE INSURANCE COMPANY, : SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION; OCEAN COUNTY
: DOCKET NO:

Plaintiff,

vs.

CHAIM FINK, the C. FINK FAMILY TRUST, ZALMEN LANDAU, as Trustee of the C. FINK FAMILY TRUST, ISRAEL BILLER, and JOHN DOES 1-10.

Defendants.

SUMMONS

RECEIVED & FILED

SEP 22 2010

SUPERIOR CT., OCEAN CO.

State of New York, County of New York. ss.:

I Wanda Corsino,, being duly sworn, deposes and says that deponent is not a party to the action or proceeding, is over 18 years of age and resides at 763 Riverside Dr. New York, NY 10032.

That on September 8, 2010, at 6:45 a.m. at 626 Wythe Place # 4-L Brooklyn, NY 11211 Deponent, Wanda Corsino, served the Summons by affixing a true copy of each to the door of said premises, 626 Wythe Place # 4-L Brooklyn, NY 11211 which is defendant's, Chaim Fink, dwelling place, within the state.

Deponent was unable, with due diligence to find this defendant or a person of suitable age and discretion, thereat, having attempted service on 9/1/ 2010 at 9:05 am , 9/6/010 at 8:00 pm and 9/8/2010 at 6:45 am, 2010 .

Within 20 days of such affixing, deponent enclosed a copy of Summons in a postpaid envelope properly addressed to Chaim Fink at last known residence, at 626 Wythe Place # 4-L Brooklyn, NY 1121 on September 13th, 2010 and deposited said envelope in an official depository under exclusive care and custody of the U.S. postal service within New York State. One envelope was deposited in regular mail and one envelope was deposited in certified mail with return receipt.

The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

Sworn to before me on September 14, 2010

Notary Public

Wanda Corsino

GLORIA RAMOS
Notary Public, State of New York
No. 01RA5061928
Qualified in New York County
Commission Expires June 17, 2014

Affidavit of Service

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

Robert P. Lesko

33 Washington Street

Newark, New Jersey 07102-3017

(973) 624-0800 ph.

(973) 624-0799 fx.

Attorneys for Plaintiff, American General Life Insurance Company

AMERICAN GENERAL LIFE INSURANCE
COMPANY,

Plaintiff,

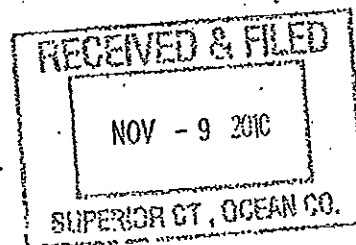
vs.

CHAIM FINK, the C. FINK FAMILY
TRUST, ZALMEN LANDAU, as Trustee of
the C. FINK FAMILY TRUST, ISRAEL
BILLER, and JOHN DOES 1-10.

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY
DOCKET NO:

Affidavit of Service by Hand Delivery



State of New York, County of New York. ss.:

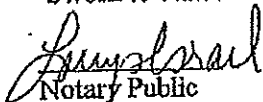
I, Joseph F. O'Brien, being duly sworn, deposes and says that the deponent is not a party to the action or proceeding, is over 18 years of age and resides at 345 E. 80th St., New York, NY 10075.

That on October 25, 2010 at 5:45 p.m. at 626 Wythe Place apartment 4L, Brooklyn, NY 11211-6981, Deponent, served the Summons by affixing a true copy of each to the door of said premises, 626 Wythe Place, Brooklyn, NY; which is defendant's, Chaim Fink's, dwelling place, within the state. Deponent, Joseph F. O'Brien, was unable, with due diligence to find this defendant or a person of suitable age and discretion, thereat, having attempted service there twice on September 13th, 2010 and again on September 14th, 2010.

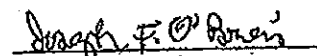
Within 20 days of such affixing, deponent enclosed a copy of Summons in a postpaid envelope properly addressed to Chaim Fink at last known residence, at 626 Wythe Place apartment 4L, Brooklyn, NY 11219-3616 on November 2, 2010 and deposited said envelope in an official depository under exclusive care and custody of the U.S. postal service within New York State. One envelope was deposited in regular mail and one envelope was deposited in certified mail with return receipt requested.

The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

Sworn to before me on November 3, 2010


Notary Public

LUCY ISRAEL
Notary Public, State of New York
No. 01916163423
Qualified in Bronx County
Commission Expires March 26, 2011


Joseph F. O'Brien
NYS Licensed
Private Investigator
ID: 1100073130

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

Robert P. Lesko

Karen D. Peck

33 Washington Street

Newark, New Jersey 07102-3017

(973) 624-0800 ph.

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Attorneys for Plaintiff, American General Life Insurance Company

AMERICAN GENERAL LIFE INSURANCE : SUPERIOR COURT OF NEW JERSEY
COMPANY, : LAW DIVISION: OCEAN COUNTY
: DOCKET NO: L-001954 10

Plaintiff,

vs.

CERTIFICATION OF SERVICE

CHAIM FINK, the C. FINK FAMILY
TRUST, ZALMEN LANDAU, as Trustee of
the C. FINK FAMILY TRUST, ISRAEL
BILLER, and JOHN DOES 1-10.

Defendants.

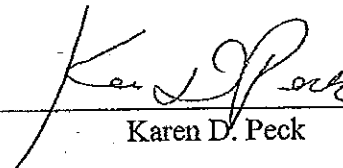
I hereby certify that one (1) copy of Plaintiff American General Life Insurance
Company's Request for Entry of Default as to Defendant Chaim Fink and Certification in
Support of Request for Entry of Default as to Defendant Chaim Fink was served upon:

Chaim Fink

626 Wythe Place, Apt. 4-L

Brooklyn, NY 11211-6981

via first class mail on December 17, 2010.


Karen D. Peck

DATED: December 17, 2010